

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TYNEARIA A. VARLACK

Plaintiff,

-against-

CFO PETER OSVAJIK, *et al.*,

Defendants.

23-CV-9456 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, filed this action on October 24, 2023. On November 16, 2023, Plaintiff filed a notice of voluntary dismissal (ECF No. 5), seeking to withdraw this action. The Court grants Plaintiff's request. This action is therefore dismissed without prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

CONCLUSION

Plaintiff's request (ECF No. 5) is granted. This action is voluntarily dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a). This order closes this case.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: November 20, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge